

ORDER NO. 3665

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;  
Nanci E. Langley, Vice Chairman;  
Mark Acton; and  
Tony Hammond

Competitive Product Prices  
Priority Mail Contract 65 (MC2013-63)  
Negotiated Service Agreement

Docket No. CP2013-83

ORDER GRANTING THIRD MOTION FOR TEMPORARY RELIEF

(Issued December 14, 2016)

The negotiated service agreement approved in this proceeding (Existing Agreement) was set to expire October 24, 2016.<sup>1</sup> On October 14, 2016, the Postal Service filed a motion for temporary relief seeking to extend the Existing Agreement for another 30 days, which the Commission granted.<sup>2</sup> On November 14, 2016, the Postal Service filed a second motion for temporary relief seeking to extend the Existing Agreement for another 30 days, which the Commission also granted.<sup>3</sup>

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<sup>1</sup> See Docket Nos. MC2013-63 and CP2013-83, Order No. 1854, Order Adding Priority Mail Contract 65 to the Competitive Product List, October 23, 2013, at 5.

<sup>2</sup> Motion of the United States Postal Service for Temporary Relief, October 14, 2016; see Order No. 3568, Order Granting Motion for Temporary Relief, October 17, 2016.

<sup>3</sup> Motion of the United States Postal Service for Temporary Relief, November 14, 2016; see Order No. 3612, Order Granting Second Motion for Temporary Relief, November 15, 2016.

On December 13, 2016, the Postal Service filed its third motion for temporary relief in this docket.<sup>4</sup> The Postal Service states that it and the customer have both signed a successor agreement, which the Postal Service expects to file with the Commission later this week. Motion at 1. It acknowledges that filing the successor agreement later this week would not provide the Commission sufficient time to approve the successor agreement before the Existing Agreement expires. *Id.* Thus, the Postal Service requests that the Commission extend the Existing Agreement for another 15 days, or until the Commission approves the successor agreement. *Id.*

The Commission notes that this is the third motion for temporary relief filed by the Postal Service in this proceeding. The Commission has already extended the Existing Agreement almost 2 months past the original expiration date. The Commission has previously urged the Postal Service to use contract extensions “only in limited circumstances and not as a standard practice.”<sup>5</sup>

The Commission grants the Motion. The Existing Agreement is extended to continue through January 6, 2017, or until the Commission completes its review of the successor agreement, whichever occurs first. The Commission does not intend to grant any further extensions of the Existing Agreement, absent extraordinary circumstances.

*It is ordered:*

1. The Motion of the United States Postal Service for Temporary Relief, filed December 13, 2016, is granted as discussed in the body of this Order.

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<sup>4</sup> Motion of the United States Postal Service for Temporary Relief, December 13, 2016 (Motion).

<sup>5</sup> Docket No. CP2012-38, Order No. 2685, Order Granting Second Motion for Temporary Relief, August 26, 2015, at 2.

2. The Existing Agreement is extended to continue through January 6, 2017, or until the Commission completes its review of the successor agreement, whichever occurs first.

By the Commission.

Stacy L. Ruble  
Secretary